

201 KAR 11:300. Use of facsimile and electronic mail transmissions; electronic storage.

RELATES TO: KRS 324.281(5), 324.282

STATUTORY AUTHORITY: KRS 324.281(5), 324.282

NECESSITY, FUNCTION, AND CONFORMITY: KRS 324.282 requires the commission to promulgate administrative regulations to carry out and enforce the provisions of KRS Chapter 324. This administrative regulation establishes standards for the use of facsimile and electronic-mail transmissions.

Section 1. Facsimile Transmissions. (1) A licensee may use facsimile (FAX) devices to transmit and receive documents according to the provisions of this administrative regulation.

(2) A copy of a document transmitted by FAX device shall be immediately mailed by regular mail, postage prepaid and properly addressed, to the person to whom the FAX transmission is transmitted.

(3) A document received by FAX device shall be immediately placed in the licensee's file as required under 201 KAR 11:062.

Section 2. If a licensee complies with Section 1 of this administrative regulation, the time of delivery of a document transmitted by FAX device, and a document required to be submitted under 201 KAR 11:045, shall be the time of transmission by FAX device.

Section 3. Electronic-mail Transmissions. (1) A licensee may use electronic mail to transmit and receive documents according to the provisions of this administrative regulation.

(2) A copy of a document received by electronic mail shall be immediately mailed by regular mail, postage prepaid, and properly addressed to any participating licensee who requests a copy of the document. A document received by electronic mail shall be immediately placed in the licensee's file as required under 201 KAR 11:062.

Section 4. If a licensee uses electronic mail to transmit and receive documents, in accordance with section 3 of this administrative regulation, the time of delivery of the electronically-mailed document shall be the time that it is sent from the originator's electronic-mail system. (17 Ky.R. 2301; Am. 2697; eff. 3-8-1991; 36 Ky.R. 434; 1014; eff. 12-4-2009.)